ONE HUNDRED EIGHTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

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December 3, 2004

The Honorable Lester Crawford, D.V.M, Ph.D.
Acting Commissioner
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Dear Dr. Crawford:

I am writing about a claim that the pharmaceutical company AstraZeneca is currently making on its website and in print advertisements about its anti-cholesterol drug Crestor. The company is telling the public that "[w]e have been assured … at senior levels in the FDA that there is no concern in relation to Crestor's safety." At the same time, however, top FDA officials have stated publicly that the agency is "very concerned" about Crestor's safety and that it is evaluating Crestor "very, very closely."

This disparity between the public statements of AstraZeneca and FDA needs to be addressed immediately. There appear to be only two options: either AstraZeneca is misleading the public about Crestor's safety or FDA officials are giving the company private assurances that conflict with the agency's public position. If the former is true, FDA should take immediate action to stop AstraZeneca's misleading ads. And if the latter is true, FDA needs to explain without delay why it has taken contradictory positions about the safety of a drug that has been used by millions of Americans.

Crestor is a relatively new drug in the popular "statin" class that is prescribed to lower cholesterol levels. In March 2004, the consumer organization Public Citizen petitioned FDA to remove Crestor from the market because of concerns that it may be more likely to cause serious side effects, including muscle breakdown and kidney failure, than other drugs in its class.[1] On November 18, FDA safety officer David Graham testified before the Senate Finance Committee that he had safety concerns about the drug, also related to muscle breakdown and kidney failure.[2]

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[1]Public Citizen, *Petition to the FDA to Remove the Cholesterol-Lowering Drug Rosuvastatin (CRESTOR) from the Market* (Mar. 4, 2004).

[2]*U.S. Senator Charles E. Grassley (R-IA) Holds Hearing on FDA, Merck, and Vioxx: Putting Patient Safety First Part 1*, FDCH Political Transcripts (Nov. 18, 2004).

In response to adverse publicity from Dr. Graham's testimony, AstraZeneca posted a statement on its website. The company stated, "We have been assured today at senior levels in the FDA that there is no concern in relation to Crestor's safety."[3] The company has also communicated to the public in newspaper advertisements. In one such advertisement, published in the Wednesday, November 24, edition of the *Washington Post*, AstraZeneca stated that "[t]he scientists at the FDA who are responsible for the approval and ongoing review of CRESTOR have ... publicly confirmed ... that the concerns that have been raised have no medical or scientific basis."[4]

My concern is that AstraZeneca's statements appear to contradict the public statements of two senior FDA officials. On November 18, the *Washington Post* reported:

> Steven Galson, acting director of the FDA Center for Drug Evaluation and Research, said the agency "has been very concerned about Crestor since the day it was approved, and we've been watching it very carefully." He said the agency is "concerned about the same issues with Crestor as Public Citizen."[5]

On the same day, Dr. Sandra Kweder, deputy director of the FDA's Office of New Drugs testified before the Senate Finance Committee: "I'm aware that there has been a great deal of interest by Public Citizen in Crestor recently. That's something that we're in the process of — and have been in an ongoing manner — evaluating very, very closely, and I believe we have a citizens petition regarding that."[6] While both Dr. Galson and Dr. Kweder have objected to parts of Dr. Graham's testimony, I am not aware of any public statement by them or by other senior FDA officials indicating that the agency has concluded that safety concerns about Crestor are unsubstantiated.

There is a wide gulf between AstraZeneca's assertion that there is "no concern" at FDA about Crestor's safety and two statements by senior FDA officials that the agency is "very concerned" and is evaluating the issue "very, very closely."

I ask that FDA review AstraZeneca's statements immediately. If AstraZeneca is misleading the public about FDA's position, FDA should order the company to post an

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[3] AstraZeneca, *Updated: AstraZeneca Reconfirms the Safety and Efficacy Benefits of CRESTOR* (Nov. 19, 2004) (online at http://www.astrazeneca-us.com/modules/PRMS/display.asp?id=151528).

[4] AstraZeneca, *Patient Safety is Our Number One Priority*, Washington Post (Nov. 24, 2004).

[5] *Campaign Waged against Crestor*, Washington Post (Nov. 18, 2004).

[6] *U.S. Senator Charles E. Grassley (R-IA) Holds Hearing, supra* note 2.

immediate correction on its website and in any newspapers or other venues where these statements were made. In recent years, FDA's enforcement actions against false and misleading advertisements by drug companies have fallen by more than 70%.[7] Prompt and forceful action against AstraZeneca would be a necessary step in restoring credibility in FDA's enforcement of the prohibition against misleading drug advertisements.

On the other hand, if AstraZeneca is correct that senior FDA officials have assured the company that FDA has "no concern" about Crestor, you need to explain how these assurances can be reconciled with FDA's public statements about the drug. You should also disclose when these assurances were provided and by whom.

I request a reply by December 13, 2004, covering FDA's evaluation of these statements and what action the agency intends to take.

Sincerely,

Henry A. Waxman

Henry A. Waxman
Ranking Minority Member

[7]Minority Staff, Government Reform Committee, *FDA Enforcement Actions against False and Misleading Prescription Drug Advertisements Declined Again in 2003* (Jan. 29, 2004).

patient safety is our number one priority.

AstraZeneca only brings patients new medications that are safe and effective. And it's no different with CRESTOR® (rosuvastatin calcium). We owe nothing less to you, our customers.

A medication can be more effective and just as safe.

It is well known that CRESTOR lowers bad cholesterol better than the leading medications in its class[2], helping millions of people reach healthy cholesterol levels. But what you may not be aware of is the extent to which we investigated the safety of CRESTOR. In order to gain FDA approval, the CRESTOR your doctor has prescribed was extensively tested and thoroughly proven with more than 12,000 patients in clinical trials. To date, more than 45,000 patients have received CRESTOR in clinical trials, including patients on continuous therapy for nearly 4 years. In addition, CRESTOR has been prescribed more than 12 million times worldwide.

The FDA has confidence in the safety and efficacy of CRESTOR.

The scientists at the FDA who are responsible for the approval and ongoing review of CRESTOR have, as recently as last Friday, publicly confirmed that CRESTOR is safe and effective; and that the concerns that have been raised have no medical or scientific basis.[3]

And if you want to see for yourself how the safety of CRESTOR compares, the most up-to-date scientific information about CRESTOR is fully accessible at rosuvastatininformation.com. There you will see the evidence that CRESTOR is as safe as other currently marketed statins.

At AstraZeneca, we are confident and proud of the safety and efficacy of CRESTOR.

To date, millions of patients taking CRESTOR in 52 countries are on their way to achieving their cholesterol goals, both safely and effectively.

CRESTOR®
rosuvastatin calcium

For more information, talk to your doctor, call or log on.
1-800-236-9933 crestorfacts.com crestor.com

Important Information: CRESTOR is prescribed along with diet for lowering cholesterol and is not for everyone, including people with liver disease, and women who are nursing, pregnant or may become pregnant. Tell your doctor promptly if you experience unexplained muscle pain or weakness, as they may be a sign of serious side effects. Be sure to tell your doctor about other medications you are taking. Simple blood tests are needed to check for liver problems before and 12 weeks after start of therapy or change of dose, and periodically thereafter. Side effects occur infrequently and include muscle aches, constipation, weakness, abdominal pain and nausea. They are usually mild and tend to go away. CRESTOR has not been shown to prevent heart disease or heart attacks. See adjacent page for additional important information.

1. Data on file DA-CRS-02 2. Most commonly prescribed doses based on IMS (August 2003-July 2004) 3. www.fda.gov accessed on 11/19/04